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CORPORATION *698 L 11*
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TEST ACTS

Shewn to be of

No IMPORTANCE

TO THE

Church of *England.*

England. — Laws & Statutes — VIII



[1. Ch. II. St. 2. c. 1.]

L O N D O N:

Printed for J. ROBERTS in *Warwick-*
Lane, M.DCC.XXXVI. Price 1 s.

ORIGINAL

NO. 1

1870

1871

1872

1873

1874

1875

1876

THE
CORPORATION
AND
TEST ACTS

Shewn to be of

NO IMPORTANCE
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Church of *England*.



WERE the true Interests
of a Nation to be con-
sidered in a Political
View, and every Pre-
judice brought to the
Test of Reason and
Truth; were the Rights
of Subjects to be im-
partially considered, and a general En-
quiry made, how far Civil Discou-
ragements may be by Laws laid upon
Persons, for maintaining Opinions which
do not affect the Civil Interests of Man-
kind;

kind; were it enquired how far Men may be excluded from all *Capacity* to serve the Society in which they live, and to the Support of which they contribute, and to which, for very many Years together, they have shewn themselves sincere and hearty Friends, and been guilty of nothing which might make them forfeit their Rights, — Were such an Enquiry as this made; and, in order to a fair Discussion, the Scene removed from *Great Britain* to *Turkey*, or *Italy*, or *France*: — I persuade myself that very few would find it reasonable, or for the publick Benefit, to exclude *Christians* in the one Place, or *Protestants* in the other, from all Capacity of bearing Offices; provided they were faithful Subjects, and ready to give sufficient Assurances of their Allegiance. Whatever then would appear right to a fair Enquirer, and fit to be done in *those* Places, ought to be applied to any and every particular Country, where there happens to be a Dissention from the Religion which has the Advantage of Civil Rewards and Encouragements.

But so it is, that wherever Civil Rewards are annexed to any particular Religious Society, and by that means it prospers in this World's Goods, it is too often

often hard to obtain even a Toleration of other Sects: Or if at any Time any Burdens and Inconveniences, or any Civil Discouragements are laid upon such as are of different Sentiments, it is with the utmost Difficulty that one can ever get them removed. There is always some Pretence of *Interest*, something or other under the Notion of *Self-defence* or *Security*, which prevailing on the Bulk of the Party in Power, disinclines them from doing what political Justice demands, and what all Parties when undermost universally confess to be right.

'Tis thus with us at this Time.

There are Men of Abilities, who imagine the *Test Act* to be of great Importance to the Church; they represent it as a 'Point of great Weight,' that 'the
' Lords and Commons in former Days
' have judg'd it a Thing *fit* and *reasonable*
' to retain the Test: Nay, that
' neither House did once attempt to relieve the Dissenters in the Point of the
' Test Act, notwithstanding those Testimonies of Zeal of their Service, before
' the Revolution. — This will shew that
' both Houses put a just Distinction between the relieving of Conscience, and
' the entitling to Power.' Hence they argue, 'That doubtless, the regular Method

' thod is, first to endeavour to bring
 ' Dissenters by all proper and reason-
 ' able Means to a good liking of Both
 ' Parts of the Establishment ; and when
 ' that was effected, the Way was fairly
 ' open to an equal Participation of the
 ' Benefits and Advantages of Both.' That
 ' if the Test were a Thing so very abo-
 ' minable as has been represented of late,
 ' the Legislatures *in five successive Reigns*
 ' would have seen the Abomination, and
 ' not have suffered such an horrible Ini-
 ' quity to rest upon the Nation : At
 ' least, that they would not avowedly
 ' have approved and ratified it from Time
 ' to Time, by so many fresh and re-
 ' peated Sanctions. Charity would in-
 ' cline one to believe, that this Point
 ' must certainly have been considered by
 ' them in some other Light.'

When one comes to consider the Force
 of all this ; it cannot be denied, That
 the Lords and Commons of those Days
judged it fit and reasonable to make the
 Sacramental Test : and the Legislature
 since, has not thought fit to repeal it.
 But that it therefore follows, that it ought
 to be continued still, is a Consequence
 by no Means true, or fair. For it does
 not follow, that whatever the Legisla-
 ture, ' During five successive Reigns'
 hath

hath thought fit not to Repeal, is, *therefore* Right in it self, and fit to be continued for ever. 'Tis possible, that the Circumstances of a Nation may be such, that the Legislature may not *attend* to a particular Evil. 'Tis possible, that when the same Body of Men lie under *many* Evils, they themselves may apply only for the Remedy of the *Greatest* : Not that they thereby declare, or can be understood to declare, that *other* Evils are not *Evils*, or that they do not feel them, or wish to be rid of them; but that if they were to apply for the Redress of *all* Evils at one Time, they would be sure to have *none* remedied.

The principal Attempts in Favour of the Dissenters before the Revolution were certainly to free them from the *Penal* Laws; Evils so strong, so pressing, so dreadful, that no wonder if the Parliament, as Occasion offered, attempted to give a Relief to Conscience. But supposing that the Parliament before the Revolution *attempted* nothing further; or supposing that the Dissenters themselves, in those Days of Violence, and under the immediate Apprehensions of Popery, *desired* nothing further; yet it will not follow that they may not *now*, or that they

they *ought* not, to wish and desire a Redress of a manifest Injury to them.

The Burdens laid upon Dissenters were formerly very many; and for 'five successive Reigns,' they were multiply'd upon them. Queen *Elizabeth* began the *Penal* Laws, and they were continued till the Act of *Toleration* put an End to them, thro' her Reign, and those of *James I. Charles I. Charles II. James II.* Now I argue concerning *Penal* Laws, just as this Author does concerning the Sacramental Test: If *Penal* Laws were Things so very abominable as has been represented of late, the Legislature in 'five successive Reigns' would have seen 'the *Abomination*, and not have suffered such an *horrible Iniquity* to rest upon the Nation; at least they would not avowedly have approved and ratified *them* from Time to Time by so many fresh and repeated Sanctions. Charity would incline one to believe, that this Point must certainly have been considered by them in some other 'Light.' No doubt they considered these *Penal* Laws, as useful to the Publick, as the proper Means to bring the Dissenters by such wholesome Severities to a good Liking of the Establishment:

*

Or

Or if they could not make Men *approve*, yet certainly they designed to make them *conform*. Would any one therefore argue, that since the *Penal* Laws were never looked upon by the Two Houses 'as an *Abomination*, during five successive Reigns ;' or because they were never during that Time conceived to be an *horrible Iniquity* ; that therefore they ought to be continued still ? 'Tis certain, that *now* those Things are seen to be an *Abomination*, which once, 'during five successive Reigns,' were looked upon as great Securities to the Church. And therefore this Topick is of no Force, unless it be allowed, that *Penal Laws* ought not to have been repealed, because 'during five successive Reigns,' they were repeated and continued unrepealed. Nor do I conceive that any one would urge such a Topick as this on any other Occasion ; or spend his Time to shew, that what *any Parliament* had once thought fit to impose, That must be fit and reasonable in it self to be continued. The Imposer, I will allow, may judge it fit and reasonable at that Time. But if another Parliament should see Reason to Repeal such an Act, then the Argument from the former's Judgment is at an End.

B

But

But as proper Measures were heretofore taken to bring the Dissenters ' by ' all proper and reasonable Means to a ' good Liking of *both* Parts of the Establishment,' it seems, they themselves have raised new Obstructions to this Work, and now have rendered all Attempts to open a Way to an ' equal Participation ' of the Benefits and Advantages of the ' Establishment impracticable.' How so? Why, ' many among them have given ' us to understand, that unless they are ' gratified in some *Doctrinal* Points also, ' they must remain at a greater Distance ' from us than ever.' Be these ' Doctrinal Points' what you will, (unless they are such as affect the Civil Rights of Mankind, which is not here pretended) they are no reasonable Obstruction to the Enjoyment of the Common Rights of Subjects. Cannot the Law be executed, Justice administred, or an Office be served faithfully, unless a Man's Opinions about any *Doctrinal Point* (cavass'd among Divines) be reduced to a modish Standard? Or what is the Use of a *Legal Toleration*, if it be not to bear with such as in Conscience cannot comply with established Opinions? But besides; may not a Dissenter ask, Whether *all* that conform to the Church established,

ed, are of one and the same Mind in all ' *Doctrinal Points* ?' Are all that are employed in the Ministry of the Gospel uniform in their Sentiments, even in Points of great Consequence? Are the Laity, as well as Clergy, so exactly of one Sentiment in ' *Doctrinal Points*,' that there are no Disputes, no Controversies, amongst Conformists? Now if Diversity of Opinions among *Churchmen*, is not a Reason to exclude them from the Benefits and Advantages of Places or Preferments, why should this same Thing make the Dissenters incapable of Favours in the same Manner?

But ' if there were no Difficulty, either ' about *Doctrines*, or the *Subscription* ' to them; yet their Falling into the ' new Notion, that the Establishment of ' National Churches by Civil Authority ' is destructive of Liberty, and greatly ' injurious to Religion, would of it self ' put an End to all Expedients, for their ' Uniting with the Established Church.'

One would imagine from hence, that every Man that is to reap any Benefit or Advantage in the State, was obliged publickly to profess the Articles of his Faith; or at least to *Subscribe the Thirty Nine Articles*, in order to be employ'd in any Office. I will admit, that the Dis-

senters have Objections ' against Subscriptions to Creeds and Articles ;' and that they think them ' Invasions of Christian Liberty, and Usurpations upon Conscience.' What has this to do with the Test Act? Do any Laymen *Subscribe* the Articles, in order to their having or enjoying Places, or Preferments? Is that a necessary Qualification for any Officer, — from the *Constable* up to the first *Minister* of State? Why then should that be urged as a Difficulty against a Dissenter, which is no where practised among the Churchmen themselves?

But their Notions are such as ' put an End to all Expedients for their Uniting with the Church.'

And supposing the worst that can be here supposed, that they never do *unite with the Church*, What is the Use or Design of an Act of *Indulgence*, but for the Benefit of such as cannot conform to the established Rites, or Doctrines? They that plead for the Repeal of the *Test Act*, would not do it at the Expence of the Act of *Toleration*, the good Effects of which are acknowledged to have been found by long Experience. If therefore any of the Dissenters have their Difficulties about Establishments, and therefore

fore never can unite to the Established Church, they can be but as they are, disunited ; and then they must live as they do now, under the Enjoyment of their Toleration : And they may die in their Perswasion, and yet the State may never suffer by such Subjects, more than it has or does by such as have conformed, and yet have differed in Doctrinal Points from one another. If they pay their Taxes, and submit to the Laws, and are Peaceable, Loyal, and Obedient, tho' they are not united to the Church, what Mischief will arise from that to the State ? Or what Harm accrues to any Man, that his Neighbour does not frequent the same publick Worship, more than does, from his not going to the same individual Church ? What is that mighty Injury, that in going to serve God, one turns to the Right Hand, another to the Left, when he goes out of his House to serve his Maker ?

When the Author of *The History of the Test Act* had argued that ' the Legislatures in five successive Reigns,' could never have imagined the Test so *abominable* as has been of late represented ; because if they had, ' they would not have suffered such an *horrible Iniquity* to rest upon the Nation ;' he then proceeds

ceeds to give us what he '*supposes*' to be '*their Thoughts*:' And he may, for ought either He or I know, have given us a Piece of *true History*. However, whatever were the Reasons which prevailed with the Legislature in those 'five successive Reigns,' under which the Sacramental Test was appointed and ratified, and continued; 'tis certain, that those which this Writer *supposes* for them, either were not the true ones, or else one may be confident, that the Legislature acted upon such Principles as will not justify what was done. This Author states them thus. 'That in a Christian Country it is fit and reasonable that those who are to be imploy'd in the publick Administration, should give some publick Testimony of their being Christians.'

Admitting here the first Principle, *viz.* That it is 'fit and reasonable that in a Christian Country Men should give some publick Testimony of their being *Christians*,' in order to their being imploy'd in any Place of a Civil Nature: yet it must be remembred all along, that Protestant Dissenters are acknowledged to be *Christians*; and therefore this publick Testimony here is Needless.

How.

However, if this was a fundamental Principle with those Legislatures ' in ' those five successive Reigns,' how came it to pass that they did not contrive a Test which would exclude all *Atheists* and *Deists* ! Or were there no such Men in the Days of that *most Religious and Gracious King* Charles II ? The Principle, it seems, upon which those Men reasoned was, that none but *Christians* should be imploy'd in a *Christian* Country to serve the Publick. When this Principle comes to be applied to Practice by these very Men, the effect is,—That some *acknowledged Christians* are excluded from even a *Capacity* of being imploy'd ; and others, who are *not Christians*, are imploy'd. Either these Men were very ill Reasoners, or else this Principle was not in their Thoughts when they made this Test Act.

He goes on a Step further. ' That from ' *the most early Times* of Christianity, the actual joining in Communion has ever been esteem'd the ' most proper Proof that Men were ' *Christians*.'

Now admitting 1st, That this was so, ' in the most early Times ;' yet if it be visible that it is not so *now*, whatever Inferences *might* have been made *formerly*

merly from thence, will not hold good *now*. Again; Admitting, that the joining in Communion is a proper Proof that Men are *Christians*; yet it does not follow, that whosoever does not join in Communion with a particular Society of *Christians*, is not a *Christian*. For notwithstanding a Dissenter refuses to join in Communion with the Church of *England*, yet does it not follow, that he is, or ought to be looked upon as *not* a *Christian*. Therefore, 3^{dly}, If none but *Christians* ought to be employ'd in Civil Offices in a *Christian* Country, and the receiving the Sacrament be any Evidence that a Man is a *Christian*; the most that will follow is, that if a Dissenter receives the Sacrament in his *own* Way, at his *own* Meeting, he is perfectly qualified for any Civil Office. For the *Dissenters* receiving the Sacrament in their own Ways, give as proper and sufficient Proof that they are *Christians*, as *Churchmens* receiving according to the Use of the Church of *England*, do, or can give.

But the Difficulty does not turn upon this, Whether the receiving the Communion be a proper Proof that a Man is a *Christian*, — But, whether the receiving the Communion be a justifiable Qualification

cation for Civil Offices. And in order to determine this, it must be proved, that such a Qualification is no *Profanation* of the Lord's Supper, *wherever* it is so received: And it must be shewn, that *Politicians* have a Right to apply this Supper to *secular* Purposes, which Christ applied and instituted for other Ends. For supposing it to be necessary, that the State must have Assurance, that its Officers are *Christians*, yet a Christian State must not be guilty of Profaning the most sacred Ordinance of Christ for such a Purpose.

In this Argument then there is a double Weakness; 1st, in that it supposes that the joining in Communion according to the Rites of the Church of *England*, is 'the most proper Proof that 'Men are *Christians*,' at the same Time, that it is known that even *Atheists* and *Deists* do join in Communion for the Sake of Offices: And 2^{dly}, supposing that this proves this Point, yet it does not follow that any State has a Right to make the Sacrament of the Lord's Supper a Qualification for Civil Offices. The next Step is,

' That for the Sake of *publick Peace*
' *and Order*, and that Church and State
' might be a mutual Support to each o-
C ther,

‘ther, it was *further Expedient*, that
 ‘Persons employ’d in the State should
 ‘be Christians, *conforming to the Wor-*
 ‘*ship approved and established by the*
 ‘*State.*’ Here every Word is to be proved,
 or explained.

I. What is the Meaning of ‘*publick*
 ‘*Peace and Order*, to which *Conformity*
 ‘*to the Worship approved and establish-*
 ‘*ed by the State, is expedient?*’ *Publick*
Peace and Order is in Fact preserv’d with-
 out Conforming to the Worship establish-
 ed by our own State: It is no more in-
 fringed by not receiving the Sacrament
 in a particular Place, or upon a particu-
 lar Occasion, than it is by wearing dif-
 ferent coloured Clothes, or by using dif-
 ferent Postures in our Devotions at diffe-
 rent Times. It so happens that in dif-
 ferent Places, Church Service begins at
 different Hours; and by this Means
 scarce two Congregations at the same
 Time are in the same Posture: Nay; if
 any one could survey the Nation at the
 same Instant, he would see some *Sitting*;
 some *Standing*; some *Kneeling*; others
 not at Church at all: And yet this is all
 consistent with *publick Peace*. You that
 are at *St. Paul’s*, are not concerned in
 the Actions of those in any neighbour-
 ing Church; but you are doing your
 own

own Duty. Is the 'publick Peace' broken, either by others not going so soon, or perhaps sooner, to Church? Or by other Peoples not being in the same Posture at the same Time? No. How is it then that 'publick Peace and Order' is preserv'd, when People are thus variously employ'd? *Peace* therefore and *Order* does not consist in Uniformity of Posture, or in Uniformity of Action, at the *same* Time: No not at the *same Time* in the same *Place*, since Peace and Order may be preserved in Difference of Postures; or in not Conforming at all to the established Forms of Worship. If therefore a *Justice of Peace* were to attend the publick Service in one Place, and another in the same Office were to go to another Place of Worship; these Two would be to each other, just what Two Congregations are to each other, that assemble at different Times: *i. e.* no Peace would be broke by either of them. Again,

'That *Church* and State might be a mutual Support to each other, it is expedient that all in Office should conform to the establish'd Worship.' Here again I must ask, what he means by the Word, *Church*? Does he mean, *all Christians* in the State? Then his Position

is, That *all Christians* may support the State, and reciprocally the State support *all Christians*, it is *expedient* that all should comply with the Form of Worship established. This indeed will want substantial Proof, that exact Conformity in all is expedient to '*support the State*.' That Conformity to the Cross in Baptism, to Surplices, to Kneeling at the Communion, &c. have any Tendency to support the *State*, is not at first Sight so very plain. Does he then, by the *Church*, mean any one Party of Christians in the State? Then the Position is, That for the Sake of publick Peace, the State and one Party of Christians are each to support the other against all other Christians; and that with a View to this, all employ'd in the State should conform to the State Religion against all other Christians. In this Scheme the Sacrament is to be received in a particular Manner, and to be made a Bond of Union in some Christians *against* others. Did our Blessed Saviour intend his Sacrament for these Purposes; or ought not such a Perversion to be branded with the name of *horrible Iniquity*? Or would a Christian Parliament ever reason in so weak or wicked a Manner, contrary to the Nature of the Sacrament, and contrary

trary to every Rule which our Saviour laid down for his Disciples, and contrary to the Ends that they themselves proposed?

As the Word *Church* is thus unintelligible, the next is the Word, *State*: As hard a Word in this Passage as the other. For if, by *State*, be meant the *whole Community* which has entered into Society for the Preservation of their *Civil Interests*; then those who do not conform, are a Part of this State, and to be supported as well as all others. If on the other hand by *State*, be meant only *one Part* of the *State*, then the Proposition is,—that in order for mutual Support, 'tis fit that one Party of a Community should be obliged to take the Sacrament in Exclusion of another Part of the same Community, who are as good Subjects, pay as well and as much to all Taxes, and have never done any Thing to forfeit any Favours. Is the Sacrament intended for this?

But further. 'Tis *Expedient* that 'Persons employ'd in the State should conform to the Worship approved by the State.' I ask, Why is it *Expedient*? The Answer is, 'for Peace and Order sake, and for mutual Support of Church and State.' If this Argument proves any thing,

thing, it proves not that the Sacramental Test should be imposed or continued; but that, there should be an *entire Conformity* to the *whole Church Worship*. For the Argument proceeds thus: 'Tis fit and reasonable that in a *Christian State* Men should, in order to be employ'd, *be Christians*: The most proper Proof of Men's being Christians, is taking the Sacrament. The true Consequence of this is, as I have already observed, not that the present Test Act should be continued; but that whosoever receives the Sacrament is qualified for Civil Offices, let him receive it *any where*. But this not answering the Purpose, 'tis added, ' that for the Sake of *publick Peace and Order*, and that *Church and State* might be a mutual *Support* to each other, it was *further* Expedient, that Persons employ'd in the State, should be Christians CONFORMING *to the Worship* approved and established by the State.' The *Sacramental* Test is now forgot; and entire ' CONFORMITY *to the Worship* approved *by the State*' is made expedient. Now it is impossible that That Parliament which imposed the *Test Act* should reason in this Manner; because That never made CONFORMITY *to the Worship* esta-

*

established the Qualification for Offices; but only this *one Act* of *Conformity*, to receive the Sacrament according to the Usage of the Church of *England*, once within three Months after a Person was in Office. Now 'tis well known that a Man may do this, and not *conform* to the Worship established in any other Instance during his whole Life.

One would be apt to suspect that some other Principle was here dropt, and thus to be supplied, 'The State may accept a Part for the Whole;' the Sacramental Test instead of the Whole Worship approved by the State.

But if this were the Case, then the Reason last urged is quite Foreign, 'that it is *further* expedient, that all employ'd in Civil Offices should *conform* to the *Worship established* — by the *State*.' For then it would be evident, that *Conformity* is not necessary, for *Peace and Order's sake*; nor is *Conformity* necessary in order that the Church and State should be a mutual Support to each other. Not therefore to put a Question which a Dissenter may ask — How came the Civil Magistrate by Authority to intermeddle with Affairs of Conscience? I shall put it thus: Since publick Peace and Order may be preserved

served *without Conformity* to the Standard of the State Religion, (and we see it so in Fact since the Toleration has been granted) why is Church *Conformity* here made expedient to *Peace and Order*?

We have then here *Three* Principles laid down by this Writer, as the Principles of those Legislatures, which made, or continued, the *Test Act*. By the *First* of these, those that are employ'd in the publick Administration are to give some publick Testimony that they are *Christians*. Now this could not be the Intention of those Legislators, because they had no doubt that *Protestant*, and *Popish* Dissenters too, were both of them *Christians*. They were convinced of this, and neither asked nor required any *Testimony*, *publick* or *private*, of this Point: Or if this had been their View, they might have let into the publick Administration, both *Papists* and *Protestant* Dissenters; and should have contrived to have excluded *Atheists* and *Deists*, and *Infidels* of all Sorts: But instead of this, they ordered Matters so as to *exclude* such as they believed and owned to be *Christians*; and they let in such as they knew to be *not Christians*. By the *Second* Principle, all that can be inferr'd is, that the receiving the
Com.

Communion in their own Meetings is a sufficient Qualification for any Office: And by the *Third*, Not the *Sacramental Test*, but *entire Conformity* is necessary. Did the Legislature 'in five ' successive Reigns,' reason thus weakly, or argue upon such incoherent Principles? Surely it is no Compliment to their good Understandings, to say they argued in this Manner: Nor will any one believe that this Matter was ' maturely considered by as able Heads as ' any Age has produced,' if they could reason no better than thus.

'Tis added: ' That Rules and Laws ' are not therefore bad in themselves,— ' because bad Men abuse them.' True, if Rules and Laws are Good and Right, they are not to be esteemed *Bad*, because bad Men ill use them. But the Evil here is, That when the Sacrament is made a Qualification for any Civil Office, it is applied to Ends for which Christ never designed it; for Purposes which he never intended: It is perverted from Spiritual to Civil Ends; from the Religious End, to make Men better, to a Support of one Party of Christians against another; not as a Symbol of Friendship, but of Party and Division: Not in Remembrance of the Death of

D

Christ,

Christ, but in Memory of the Grant of an Office.

As a parallel Case it is urged, — ‘ That
 ‘ in *private* Life, if a *Master of a Fa-*
 ‘ *mily* make a Rule, that he will en-
 ‘ tertain no *Servant*, who does not re-
 ‘ ceive the Sacrament at the Three great
 ‘ Festivals; the Rule is good, tho’ some
 ‘ Servants may comply with it only for
 ‘ the Sake of keeping their Station in
 ‘ the Family.’ The Master of a Family
 has no doubt a perfect Liberty to estab-
 lish what Rules he thinks most proper
 for the Benefit of his Family. But the
 Argument is very faulty, when the
 Right of the *Civil Magistrate* in poli-
 tical Affairs is deduced from the Power
 of a Master over his Servants. In a
Civil Society, every Member that is in
 Fact admitted as a *Subject*, has a *Right*
 to all the Privileges of the Society, un-
 less he forfeits his Pretensions. And
 hence it is that the Difference betwixt
 the private Rights of a Master of a Fa-
 mily, and of a Governor of a Common-
 weal, is apparent. The Master of a Fa-
 mily may except against the Colour, the
 Look, the Hair, the Shape of any Per-
 son, and *refuse the Admittance* of such
 into his Service: But a State has no
 Right to object against a Subject’s being

a Member of the Society, because he has *red Hair*, a *brown Complexion*, a *squinting Eye*, or a *crooked Back*; nor can it with Justice exclude any such Persons from its Benefits. For Society being form'd for mutual Defence, and the Security of Property, such Circumstances of Personage are not at all inconsistent with all *Ends* of Civil Government, since the good of the Society may be as well provided for by such Men, as by others: and therefore to eject or banish all such, or not to permit them to live as Members of the Community, would be really to weaken the Society, and would be infinitely detrimental to it. But in the private Concern of Families, such Persons may be improper, not useful, not serviceable, perhaps hurtful in many Cases; and as the Master is the sole Judge of the Qualifications he wants, and no Man has any *Right* to be the Servant of any one, or to live in any Man's House, the Master may be as much at Liberty to choose his own Servant, as he is to buy or hire any Convenience whatever.

A private Master therefore may make what Rules he thinks fit for himself, consistent with the superior Obligation he stands in to the Society of which he is a

Member. But a State has no Right to treat its *Subjects* in the same Manner that a Master of a Family may his Servants. The Master may refuse to *admit* Servants into his Family ; the State *has admitted* its Subjects, and can't banish them without some Crime of theirs which makes them *forfeit* their Rights. The one can *command* Eating and Drinking, and Working at such Hours as suit his Conveniency or Business: The State has no Right to meddle with such Appointments ; because the Ends of Society are not promoted or injured by any such Actions of its Subjects. What therefore the One may lawfully do, in the other may be Oppression, or Tyranny, or Usurpation: And this will sufficiently shew a Reason why the Master of a Family may, if he pleases, oblige his Servants to receive the Sacrament thrice a Year, or if they do not he may turn them out of his Family: But a State or Body Politick may have no such Power to *exclude* from its Benefits or Advantages, such of its Subjects as do not receive the Sacrament, or to *banish* them out of the Society.

But whatever the *Reasons* were, upon which the Two Houses acted in King *Charles* IId's Time, or whether they acted

acted with, or without, Reason, it is, I apprehend, of no great Consequence to us : For the Reason which prevailed then may have ceased ; the Circumstances of Things and Persons may be changed ; and then the real Question is, of what Importance to the Church and State these Acts are *now* ? If the Test and Corporation Acts should be repealed, what would be the Consequence ? What would be the Damage to the Church, or to the State, at this present Instant ? This Point, which is the only one of any Consequence, ought to be examined carefully : And therefore I will consider every Thing that has been suggested by this Author, in his History of the Test Act. When it was ‘ alledged in behalf of ‘ the Dissenters, that they have no ill ‘ Intention to the Established *Church*, ‘ or if they had, that their Numbers are ‘ too inconsiderable to hurt it : ’ This Author gives us the several Replies which he conceives may answer this Objection. As,

1. ‘ That the introducing a Form of ‘ Government and Worship, very different from That of the Established ‘ Church, is what their Judgment and ‘ Conscience directs them to.” Now,

This

This may be allowed, and yet the Repeal of the Test or Corporation Acts give them no more *Opportunity* of introducing any other Form of Government than they have now. These Acts are not the Acts which Established Episcopacy; nor do they establish the Worship now used in the Church of *England*; nor are they the Security of the Doctrine, or Discipline, or Rights, or Revenues of the Church: And consequently, should the Test and Corporation Acts be repealed, neither the Doctrine nor Discipline, nor Interest of the Church would be *hurt*. No, nor would they be at all *weaken'd* by such Repeal: For what is it that the Corporation or Test Acts require? The former enacts, that 'for
' Preservation of the publick Peace, both
' in *Church and State*—That Commis-
' sions shall — be issued forth — unto
' such Persons as his Majesty shall ap-
' point for the executing of the Powers
' and Authority herein after expres-
' sed.' Then having repeated what these Commissioners were to do, § 12, it is added, 'provided also, and be it enacted
' by the Authority aforesaid, That from
' and after the Expiration of the said
' Commissions, no Person or Persons
' shall for ever hereafter be placed, e-
' lected,

‘ lected, or chosen in, or to any of the
 ‘ Offices or Places aforesaid, that shall not
 ‘ have within one Year next before such
 ‘ Election or Choice taken the Sacra-
 ‘ ment of the Lord’s Supper, according
 ‘ to the Rites of the Church of *England*.’

The Test Act runs thus,—‘ For pre-
 ‘ venting Dangers which may happen
 ‘ from Popish Recusants.—Be it enacted,
 — ‘ That all and every Person and Per-
 ‘ sons—that shall bear any Office or Of-
 ‘ fices, Civil or Military, — shall re-
 ‘ ceive the Sacrament of the Lord’s Sup-
 ‘ per according to the Usage of the Church
 ‘ of *England*, within three Months af-
 ‘ ter his Admittance in, or receiving the
 ‘ said Authority and Employment.’ At
 the close of the Act, High Constables,
 Petty Constables, Tythingmen, Head-
 boroughs, Overseers of the Poor, Church-
 wardens, Surveyors of the Highways,
 Foresters, Park-keepers, Bailiffs of Ma-
 nors, and such like private Officers, are
 exempted from this Test.

Now supposing that every Person that
 is elected into any Office in *Corpora-*
tions, or that bears any *Office*, Civil or
 Military, were exempted from taking
 the *Sacrament* of the Lord’s Supper, as
 all those more numerous, tho’ lower Of-
 ficers are; the Government, and the
 Wor-

Worship of the Church of *England* would be the same: The One in the Hands of Bishops, the Other according to the Book of Common Prayer: The Rights and Privileges, and Revenues would be the same: And as they continued from the Reformation to King *Charles* II's Days, as safe as any Things of this sort can continue, (unless in the Times of Civil Confusion, when neither Church nor State, Civil nor Ecclesiastical Laws, could be secure,) so would they be again as secure as they were before these Laws were made. Nor would the Persons admitted to Offices, have more Power to change or alter the present Form, or introduce a new Form, than they had before those Acts passed. Neither the Corporation nor Test Acts imply any *Promises*, or *Engagement*, or *Obligation*, or *Tye of any kind*, not to introduce any other Form of Government, or Discipline, into the Church: *Neither* of them imply, or suppose, any *Affection* to the *Rites* made use of: *Neither* of them suppose any *Continuation* in Church Communion. For as to the *Corporation Act*, if a Man receives the Sacrament, *any Time within a Year* before his Office, he is qualified for his Office: And if he takes the Sacrament *once with-*
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in three Months after his receiving his Employment, and certifies that he has done so, this is all that is required by the *Test Act*. Now, what Evidence does the Compliance with either of these Acts afford us, that a Man is *well affected* to the Government of the Church of *England*? Neither of these Acts require that a Man should be so much as acquainted with the Form of Government of the Church of *England*, nor with more of its Worship, Rites, or Ceremonies, &c. than what is actually used *in the Celebration* of the Lord's Supper.

These Acts then are no *Security* to the Church, nor argue any *Affection* to it: Nay, they visibly *let into Offices* Men that are no more Friends to the Church, than the Dissenters are; Men that are allow'd by this Author to be ready to 'join any Party in pulling down' the Church. Now what *Security* is that Act to the Church, which *lets in* freely its *open, profess'd Enemies*; and is no *Security* against *covered Ones*? *Infidels* are not kept out; nor any that can bring themselves to imagine a Conformity to the *Communion Service* to be not absolutely sinful; nay, that can bring themselves to conform to so much of the Service only as is necessary to

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the Reception of the Elements, may come into Office. And if no Dissenter when in Office hath once in Sixty Years attempted to subvert the Government, Worship, or Discipline of the Church, what Grounds are there for Suspicion that they will now on a sudden attempt it?

This will help us to understand what They mean, who make it a Mark of *Affection* or *Dislike* to the present Constitution, to be for or against the Repeal of the Test Act. What is, or what can be, meant by the *Constitution*, when Men talk at this Rate? The Government of the Church by *Bishops* is the same, and so it was long before the Test Act was made: The Repeal of it does not destroy their Seats in Parliament; nor take away their Baronies; nor deprive them of their Jurisdiction; nor any ways affect them in their Powers, or Properties, or Persons. They are left exactly in the same State as they were both before this Act was passed, and which they have been in ever since this Act has existed. The *inferior Clergy* are exactly the same; no ways touched in their Persons, Privileges, or Properties. The *Church-Laity* are the same, excepting that they will not be obliged to

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turn the Sacrament of the Lord's Supper into any Political Tool, or make it an Instrument applicable to Uses, for which our Lord and Saviour never instituted it. Dissenters indeed will be helped, an *Incapacity* to them will be removed. But is this a Change of *Constitution*, in either Church or State, more than the Repeal of any present Act of Parliament makes, which gives any Ease or Help to any particular Persons whatever? The *Constitution* of the Church is the same *now*, that it was before the *Test* Act passed; and so it would be still, were the Test repealed: unless it be said to be altered by every Act of Parliament that passes in relation to the Church. And if this may be admitted, then the Constitution of the Church has been altered threescore Times within these threescore Years; and still the Church subsists, and flourishes, and has received no Damage by such Changes.

Away therefore with these Mormoes; and say openly, that 'tis just to confine all Places of *Power and Profit* to one Sett of Men, *i. e. ourselves*: Say that all *Tories* ought to be excluded: Then diminish still the Candidates for Places, and say that *no Whigs*, but such as think as you do, shall have them: Then con-

tract the Numbers again, and say that none but those of your *own Acquaintance* shall enjoy them : Go on still in this narrow Scheme, and say that no Body but *your self* shall enjoy them ; and then truly call it, a *Dislike*, a *Disaffection*, to the *Constitution*, to let others be rendered capable of Power. These are the Men that are against making their Neighbours easy ! These are they who complain, if Power be not deem'd rightly placed in *their own Hands* !

2. 'Tis said, ' That Men *out of Power* ' are not competent Judges of what ' their Aims and Intentions may be ' when *in Power*. Our Histories will ' not suffer us to forget the Conduct ' of the *Presbyterians* in the Reign of ' King *Charles* — nor the Conduct of ' the *Independents* who fled from Persecution in *Old England*, and became ' the most rigid Persecutors — in *New England*.'

'Tis true : But is this an Argument to persuade Men to be easy under Persecution for ever ? The *Presbyterians* and *Independents* too have been for Persecution — Therefore, what ! persecute them still in *Old England*. That they who once felt so much themselves from Persecutions should persecute others, is
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in good Truth very unaccountable: But is this a Reason that a Legislature should never do them Justice, because they have been in Times of Prosperity, not what they ought to have been? Or is it a Reason, that those who have persecuted others, shall never enjoy any Place of Profit? If it be, I fear that the Church of *England* Men would be excluded by such a Law, as well as *Presbyterians* or *Independents*. I should rejoice to see the Day, when no Man should be admitted to any Place that would not directly and in Terms protest against all manner of Persecution for Conscience sake. For why should any Man suffer in his Civil Rights for his Religious Sentiments? Or what Authority has any one to oppress another, for the exerting what he has a Right to exert, his private Judgment? And for this Reason, I think it indisputable, that he that declares *no Time at all to be proper* to take off a Hardship laid upon Conscience, can never be a proper Person to be trusted with Power; nor is it possible to have any Security, as long as such a Person continues in Power, that even greater Harships will not be laid on those who are, or may be, the Objects of his Displeasure.

But

But let us consider this Argument a little further. 'Men out of Power are not competent Judges of what their Aims and Intentions may be when in Power.' Therefore do not repeal the Test Act; nor let the Dissenters, who have 'now no ill Intention to the Established Church,' into any Capacity for Power. Who are fit to be trusted with Power, is a proper Question, which all that are to be subject to it, ought to consider. Not such, says this Author as '*have now no ill Intention to the Church.* Why? Because 'Men out of Power are not competent Judges of what their Aims may be when in Power.' Shall we then trust them who '*have ill Intentions?*' For these Men are not competent Judges neither, 'when out of Power, what they may be when in Power.' Who then shall be trusted? For some Body must have it. Or which way must we guard against such Philosophical Possibilities of Change, which, if steadily and uniformly pursued in such Objections as these, will either conclude against all Power's being trusted in any Hand at all; or else, that an open avowed Enemy to Liberty is as *much* to be trusted and confided in, as any Friend?

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The Observation is certainly true, that Power often makes Men change their Conduct, and often Times intoxicates them. But still the World is govern'd tolerably under all these Contingences; and Mankind makes a shift to guess, within certain Degrees, who are fit to be trusted with Power, and who not. No one was ever so weak as to deliver himself up, bound Hand and Foot, to an *Enemy*, because 'Men out of Power are not competent Judges of what their Aims or Intentions may be when in Power.' They can tell, that Men who write and act upon a Principle of either a narrow Mind, or a worse Spirit, will hardly mend when they come into Power. A Persecutor out of Power would certainly not become a Friend to Liberty in Power. He that cannot bear, when out of Power, a different *Opinion* from his own, is not to be depended on when he is in Power, for Liberty, or Indulgence. 'Tis said,

'The *Presbyterians* and *Independents* have been Persecutors when in Power.' They have so; and 'tis very scandalous in them to have deserved the Reproach. But as all Parties have been guilty of this Wickedness—*Iliacos intra muros, & extra*—'tis high Time

Time to put an End to all such Practices. What if they have been Persecutors when all Power was in their Hands? Does the Repeal centended for *put* all Power into their Hands? Is the Repeal of the Test Act, in order to *put* all Churchmen *out* of Power, and all Dissenters *in*? Or is the Dissenting Interest equal to the Church Interest? Are their Numbers equal? Or will they continue equal upon the Supposition that they may be capacitated for Places of Trust? Or have they not suffered for their Sins long enough, in Suffering as they have since the Restoration? But,

3. ' Heretofore, the Assistance which
' the Dissenters of this Kingdom recei-
' ved from their Brethren of *Scotland*,
' completed the Design of *establisshing*
' *Presbytery*: And they will be apt
' to flatter themselves, that upon a pro-
' per Opportunity, the Zeal of their
' Neighbours of *North Britain* will not
' be wanting to effect the same Uni-
' formity in Religion throughout the
' Island.'

To all this, no more is necessary to be replied, than in the Words of *Rapin*,
— ' That the Leading Men of the Party
' against the King, were the Persons
' that encouraged the *Scots* to enter
' *Eng-*

' *England* : And this *same* Party was
 ' Superior in the Parliament. It was
 ' the *Scotch* Invasion that compelled the
 ' King to call the Parliament, and it was
 ' the same that enabled the Parliament to
 ' break all the King's Measures, and o-
 ' bliged him to suffer the Redress of
 ' Grievances.' That these Leading Men,
 this superior Part, were all *Churchmen*,
 I must refer to the Lord *Clarendon*, and
 to all the Historians of those Times:
 That if in Consequence of those Dis-
 sentions there followed a War, and a
 Subversion of the Constitution in Church,
 as well as State, it was begun by *Church-*
men, and not by the *Dissenters*, of this
 Kingdom: That should such another un-
 happy Scene arise, which God forbid,
 the contingent Means which once were
 used for bringing about any Event, may
 not be a probable Means at another Time:
 That lastly, whenever a State of Anar-
 chy arises, 'tis not a *Test* Act that will
 secure any Party from being over-run:
 Nor will it keep within Bounds such as
 can exempt themselves from Obedience
 to their Sovereign. 'Tis added,

4. ' That Time *was*, when the Dis-
 ' senters thought themselves completely
 ' happy in the *Toleration*, and appear-
 ' ed at least to have *no further Views*:
 F ' And

‘ And if they should succeed in their
 ‘ present Attempt, Time *may be*, when
 ‘ they will as little acquiesce in an *Ex-*
 ‘ *emption* from the *Test Act*, as they do
 ‘ now in their *Toleration*.’

That the Time was, when some Persons thought themselves happy in obtaining some Degree of Liberty, is certain; that they thought themselves *completely* happy in the Toleration, is not, nor can it be proved. Sure I am, that at the Time when the *Toleration* was passed, some, as wise and as able Men as any, look’d upon that Act as no more, than a *good Beginning*. It is not therefore to be wonder’d at, if Attempts have been to mend that Act in several Instances: And subsequent Parliaments have altered or explained some Clauses further than that Act at first extended. The Writer of the *History of the Test Act* now under Consideration has mentioned *two or three Instances*, wherein the Legislature has provided against the Dissenting Teachers incurring Penalties and Inconveniences, which they were adjudg’d to be liable to by the Toleration Act. Which shews you with what Regard and Truth it is said in another Place, that ‘ the
 ‘ Bounds between the Church and the
 ‘ Dissenters cannot be more wisely ad-
 justified

‘justed, than was by the Legislature
 ‘immediately after the Revolution :’
 Or as it in this Place ‘they thought
 ‘themselves *completely* happy in the
 ‘Toleration.’ v. *The Dispute adjusted.*

The Dissenters had been subject to *Penal* Laws, which had been executed with no small Degree of Rigour, for a *Hundred* Years ; and no Wonder if some Men conceiv’d a great Degree of Happiness from the Indulgence granted at the Revolution. ’Twas no small Degree of Pleasure to see some *Ease* granted to *scrupulous Consciences in the Exercise of Religion*. But how does it appear, that *they had no further Views* than to the Liberty granted at first by the Toleration Act ? Or if they had none, how does it appear, that *they ought not, or might not* very justly ? So long as any People are under any real unmerited Hardships, they have a Right to attempt to get rid of them : And one would imagine, that this Author is very conscious that they will have still some Inconveniences left, since he asserts, that a ‘Time *may be*, when they will as little acquiesce in an Exemption from the ‘Test Act as they do now in their Toleration.’ If they labour under any Legal Inconveniences, which it is not fit in

the *Reason of the Thing*, or which is not necessary to the Good of the Publick, that they should continue under, they ought, no doubt, to try to get them redressed : Nor do I suppose, that they would have it believed, that all they aim at, is the removing of the Incapacity for Places, if they do in Fact labour under any other unnecessary Burdens.

In the first Place then 'tis denied, that the Time *ever* ' was when the Dissenters thought themselves *completely* ' happy in the Toleration, and appeared ' to have no further Views.' Or if *they* did, sure I am, that some very good *Churchmen* did not at that Time think so. And supposing they *did* think so, yet this was no Reason that they *ought* to think so; or if it was a Reason that *at that Time* they *ought* to have thought so, it does not follow that the present Generation should think so *now*. If a Man that labours under a Complication of Distempers should think himself happy in getting rid of *one* of them, *ought* he to think himself obliged never to get rid of any others? Or if he should be weak enough to *say*, and *think* so, *at that particular Time* of Excess of Joy for a present great Deliverance, is he not to be forgiven, if he afterwards attempts

tempts to be cured of another Ail? One would imagine, that Penal Laws, and Legal Incapacities, are never considered by this Writer as *Hardships*, as *Oppressions*, as *real Sufferings*, which every Man has a Right to be free from? But he seems to consider Immunities from Penal Laws as *Favours* which no one has a *Right* to, and which 'tis a Matter of mere *Grace* to give. In this Case indeed, it might be unjustifiable not to be content with what a Man has; but in the other, no Man ought to be content, till he enjoys that Liberty which he has a Right to, and has done nothing to forfeit. He adds,

5. ' That they who would now have
' it believed, that all they aim at is the
' removing the Incapacity for Places,
' *may*, if they obtain that, carry their
' *Menaces* still higher, and be yet more
' troublesome to their Prince, if they
' happen to think, that, in the Disposal
' of Favours, they are not regarded in
' full Proportion to their Numbers, and
' Importance, and great Merit toward
' the Government.'

IF this Argument has any Force in it, it is such as must have proved, that no *Penal* Laws ought ever to have been removed, no Grievances whatsoever ought
to

to have been redressed. For it may always, and upon all Occasions, be suggested, that if you remove one Grievance People *may* 'carry their Menaces 'still higher,' and be yet more troublesome to their Prince, &c. And thus the Toleration itself ought never to have been consented to ; nor ought any one good Act to have been passed. Besides, this Argument will equally hold against all Favour to *Churchmen* themselves, and to all Promotions of particular Men in the Church, *viz.* That all they aim at, is the present Good ; if they obtain that, they may be yet 'more troublesome to 'their Prince, if they happen to think, 'that in the Disposal of Favours, they 'are not regarded in full Proportion to 'their great Merit.' &c. And thus every single Person, as well as every Society, must sit down with Grievances and Hardships for ever, if that be the Case ; or if the other, that they must never apply for Favour, how much Merit soever they may have. He goes on,

6. 'That however harmless and innocent the Intention of the *present* 'Dissenters may be, with regard to the 'Church, they cannot answer for the 'Intentions of the *next* Generation.'

Very

Very true : And if this Argument be good, it likewise follows, that no Grievance should ever be redressed, nor any Favour ever shewn to any Merit whatever. The Father has done signal Services, and deserves the highest Regard and Esteem that any Nation can shew to its Preserver : But who can ' answer for ' the Intentions of the next Generation ? ' May not Power or Favour shewn to the Father, be a Means to enable the Son to do more Mischief ? And thus must every unreasonable Thing, done by any Legislature to any Body of Men, continue for ever, for fear lest the next Generation should not have Virtue, or Gratitude enough, to know how to value a Favour granted to their Ancestors.

Hitherto the Argument of the *Importance* of the Test Act to the *Church* has been considered, in answer to the Objection, that ' the present Generation has ' no ill Intention to the Church.' The next Point is to shew, that they either are, or may be, formidable from their Numbers, or from the Additions of certain Enemies to the Church, who never will fail to join them in the common Concern of pulling down the Church.

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The Arguments urged from hence are these :

1. ' That according to their own Accounts
' in some late Writings, their Strength
' is very formidable ; and if at present
' they think themselves in a Condition
' to carry their Point by *Menacing*, what
' will they not enterprize when their
' Menaces have succeeded, and they feel
' their Strength, and are flushed with
' Victory ? It would be extreme Weak-
' ness in a *Majority* that should be able
' to carry this first Point, to stop there,
' and not to go on to disarm all Op-
' posers, and put it out of their Power,
' to disturb them in their Measures for
' the Time to come.' Now,

To this I Answer, 1. The real Que-
stion is not about the Numbers of Dis-
senters, or whether ' their Strength be
' very formidable' or not : But is the
Thing desired *right* or *wrong* ? Is it fit
to put under any Legal Incapacities, or
to keep such as are under Legal Incapaci-
ties, in that State for ever, who have
never forfeited any Claims of Right, nor
done any Thing but what they had a
strict Right to do ; a Right superior to any
Legal Rights, and even antecedent to a-
ny human Institutions : a Right founded
upon

upon the Nature of Things; and which no Civil Society ought to infringe; I mean, a Right of private Judgment in Matters of Religion. Whether therefore the Strength of the Dissenters be *formidable* or not, it is a Matter of Right that is pleaded for, and not a mere Compliance with a Request founded on the Numbers of Supplicants.

2. I must ask, what this Author calls here and elsewhere—‘*Menacing?*’ Some Dissenters met together some Time ago to think of a proper Application to their Superiors for the Redress of a Grievance which they laboured under: They applied with all Decency and Respect for Assistance to those whom they conceived to be the properest Persons in the Kingdom to be applied to: When they had received not a Denial to the the Reasonableness of the Thing, but a Declaration that the Persons applied to apprehended it to be an improper *Time* to attempt a Repeal or Explication of those Acts, and the Gentlemen concern’d made this Report; some that were not convinced in their Minds, mov’d for a *Second* Address: When in this likewise they had received an Answer to the same Effect, they stopped all further Attempts *at that* Time, What is
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there in all this that can be stiled, ' *Menacing* ? ' Is an Application for ' Assistance, *Menacing* ? ' Is it any *Threat* to ask Advice, and quietly to submit to a Denial ? When the Great Men of the Kingdom declared it to be their Opinion, that at that *Time* they were not likely to meet with Success in their Attempts, and they acquiesced in that Declaration, and took no further Measures to carry their Point, is this ' *Menacing* ? ' But,

Some it seems met somewhere together, and declared that they would not *vote* for such Members as were against the Repeal. And what if they did, even with Warmth express themselves ? How many were they that did so ? Were they an *Hundred* ? Were they *Fifty* ? Were they *Twenty* that did it ? A mighty formidable Strength indeed that ' *menaced* ? ' And must the whole Body suffer for the Zeal of these few ? Must many Hundred Thousand Men be punished for the [perhaps] Indiscretion of *Twenty* ? What excellent Arguing is this, from the Transactions of a few Gentlemen to condemn the Whole : And what Work would it make against the Universities, the Church of *England* it self, the City of *London*, or indeed any Community.

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to punish the Whole for the unguarded Expressions of a few?

3. 'Tis observable, that as soon as this Author supposes that the Dissenters ' have ' succeeded' in the present Request, that instantly they are to become the *Majority*. Now, what is it that must influence so powerfully, that immediately the Dissenters are to become this *Majority*? Is *Truth* so much on their Sides, so little on the Church Side, that as soon as ever they are freed from the Test Act, all must fall down before them? Are the *Conformists* so little persuaded of the right Method of Worship in the Church, that instantly they must become Converts to some or other of the Dissenters? Have they thus learnt the Church? Or what sort of Compliment is this, thus artificially paid to the Dissenters, that *Truth* is on *their* Sides, *human Laws* only on the Church? Or will the *Church* cease to be *Useful* to the State? Or will it become the *Minority*? Or what must make it so, if these Acts should be repealed, since it was not the *Minority*, before they were made, and is certainly very much the *Majority* still; more so indeed than ever, since the *Toleration* has been granted? But I must

not yet have done with this Argument. For it is said,

4. ' It would be Weakness in a *Majority* that shall be able to carry their ' Point to stop there.' The *Dissenters* it seems are now on a sudden the ' *Majority*.' How long has this been true? Or what ground is there for this Assertion? He goes on,

' It would be Weakness—not to go on ' to disarm all Opposers, and put it out ' of their Power to disturb them in their ' Measures for the Time to come.' The Debate is about the Repeal of Two Acts, in favour of the Dissenters. If they should be able to carry this Point,—What then? Why, it would be Weakness ' not ' to go on to *disarm* all Opposers.' If he means, that the Dissenters ought to proceed to *Injuries*, and *Retaliations* of Severities; and that it would be Weakness in them not to proceed thus far;—This is setting up Rage, and Fury, and Passion, and every Thing that is wrong, as the true Measure of Action: It is declaring that no good-natured Act, no Justice is ever to be done, for fear of enabling the obliged Person to do a Mischief to you. Let these detestable Politicks of a little narrow Spirit, be applied to any other Case, and see how they will then sound.

Never

Never *e. g.* do a good-natured Action to Inferiors, never do them common Justice in any Matter of Right, because when they succeed, ' and they feel their ' Strength, and are flushed with Victory, ' it would be *extream* Weakness in them ' not to proceed, and go on to disarm ' all Opposers, and put it out of their ' Power to disturb them for the Time ' to come.' How would this Argument have founded, when the Dissenters requested a Toleration? Did they by that become a *Majority*? And have they *disarm'd* the Church? And are they become those dreadful Subverters of all Right? Truly just in the same Way, as they will, when this additional Pleasure is shewn them, *i. e.* not at all.

When the formidable Strength of the Dissenters was under Consideration, this Argument is added to the former.

2. ' That the Strength of the Dissenters is known to lie in the *Cities* and ' *Boroughs*; where their Influence will ' always be in Proportion to the Share ' they have in the Government of those ' Places. A Circumstance very fit to be ' attended to, when we consider how ' large a Proportion of Members of the ' House of Commons are returned from ' the *Cities* and *Boroughs*? ' Now,

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Let this Circumstance be attended to e'er so long, 'tis known and allowed that the Test is not to be taken by *Members* of the *House of Commons*: They are under no Obligations to qualify themselves for their Seats in Parliament; and therefore as Dissenters are returnable, and are returned, these Acts are no Securities to the Church against such as are Members of Parliament. This is granted by this Author; who therefore makes his Inference thus, 'The fewer Tests there are upon the *Elected*, the greater Need there is to *continue* the *present Restraints* upon the Power and Influence of the *Electors*.' Let us therefore examine this Principle of the great Need of continuing the present Restraints upon *Electors*.

It is not the Place to enter upon the Difference of Tenures now in *England*: Nor to enquire why a *Copy-holder* may not *now* Vote; nor why *every House-keeper* in some very large Boroughs have a Right to Vote, and in others the Right is confined to some few *Electors*; nor why Part of the People have no more Right to choose a Representative, than if they had no Property, or were in a State of absolute Slavery. The
Restraints

Restraints laid upon *Electors* and *Elected*, as to their share of Property, is likewise now out of the Debate; and all that is contended for is, the great Need of 'continuing the present Restraints.' Now in Answer to this I would observe, that

I. The present Restraints in the Corporation and Test Acts do not at all concern such as are *returned* into the House of Commons; nor do they concern any of the present *Electors* of Members for Parliament, as such: A Dissenter may *elect*, or be elected; and may be returned to Parliament to debate, to do, and to consent to all such Points as shall be ordained concerning any of those urgent Causes for which a Parliament is called. A Dissenter may be now a *Returning Officer*, or Mayor of a Corporation, if he happens within a Year before his Election to have received the Sacrament according to the Rites of the Church of *England*, and within three Months after his Election receives it again in the same Manner. From this I argue thus, Those Restraining Acts, which were never imposed nor designed to be imposed upon either *Electors* or *Elected*, ought not to be continued upon *Electors*. But such are the Corporation
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ration and Test Acts. Therefore they ought not to be continued. I argue,

2. That supposing some Restraints are to be laid upon *Electors*, yet they ought not to be laid on Men merely because they dissent from the Established Religion. For as Civil Society was erected for the Security of the Civil Interests of Mankind, that which has no Relation to hurt Civil Society, ought not to be the Reason of hurting Men in their Civil Rights. Now the Religious Sentiments or Opinions of Men, which neither concern the Lives, nor the Possessions, nor the Liberties of any Persons, do not relate to the Things of this Life, to which alone the Civil Magistrate's Care extends it self: but they relate to the Care of Souls, and to a future Life, which the Civil Magistrate's Power does not reach to, and which was never committed to him by God or Man; and consequently to deprive any one of Civil Rights, which have never been forfeited, or given up, is the same as to usurp the Rights of another.

3. 'Tis urged, that the ' present Restraints upon the Power and Influence ' of Electors ought to be *continued*. If you should ask, why? It is, because the Electors have such an Influence upon the
Elected.

Elected. If the Influence they have, be such as is prejudicial to the State, I acknowledge that I think it is not enough to continue the present Restraints upon them, but more ought to be added. But then it must be proved, that their Influence is, or may be, prejudicial to the State. Now instead of *proving* that the Influence of the Dissenters would be prejudicial to the *State*, we meet with little else besides positive Assertions, or Harangues about the *Confusion* that *probably* would arise from an imaginary, *settled Ill-will* to the *Church*: Without considering, that all the Ill-will that formerly was shewn, all the Rancour and Malice that heretofore was professed, arose from a continued State of *Oppression*, and *Persecution*; and naturally subsides as soon as Liberty is granted.

But, I suppose, the *Influence* of *Electors* relates to the Dissenters getting into *Corporations*, and acquiring a Right by that means to *Vote* for Representatives in Parliament: And that therefore the present Restraints should be continued, in order to keep them from being *Aldermen*, &c. i. e. *Voters* for Members of Parliament.

And are *Churchmen* to be excluded from such Offices, because *Dissenters*

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are

are made *capable* of having them? Or are there not as many, nay, are there not many *more Churchmen* than *Dissenters* in the *Boroughs*? Or by what Right is it supposed, that *all* the *Borough Towns of England*, are instantly to be in *Dissenting* Hands? It is known, that very many of the Richer sort amongst the Dissenters, Occasionally conform, and qualify themselves for Offices: The present Restraints are no Restraints to them: And consequently their Influence is not prejudiced by the *Test*: And, yet, how *few* Dissenters are now returned to Parliament; or what would be the hurt to Church or State, if many more of that Body were to be returned, when Liberty and good Usage have abated all Acrimony and Sharpness, and have rendered Men, as they ought to be, social and friendly?

The last Argument here used to prove the Importance of the Test Act to the Church is,

‘ That the Dissenters, besides their
 ‘ own Weight, are sure to be joined in
 ‘ all Attempts against the Establishment
 ‘ of the Church by great Numbers, who
 ‘ will join with them in pulling down,
 ‘ tho’ in nothing else, *viz.* by Infidels,
 ‘ — by such as are against all publick
 ‘ Worship,

‘ Worship, and a national Ministry, —
 ‘ by such as are against Bishops and
 ‘ Churchmen, — by such as imagine, that
 ‘ as long as a Church Establishment sub-
 ‘ sists, Civil Liberty cannot be safe.’

‘ These united are evidently a Force
 ‘ too formidable to be despised or ne-
 ‘ glected: And the Dissenters must think
 ‘ the Friends of the Church of *England*
 ‘ the weakest People upon Earth, if they
 ‘ can suppose they will be easy and un-
 ‘ concerned at seeing that Force further
 ‘ strengthened, and rendered yet more
 ‘ formidable by new Additions of Power
 ‘ and Influence.’

Whatever there is in these declamato-
 ry Topics, the Author forgets that every
 Word of this sort might as justly have
 been, and actually was urged, when the
 Toleration Act was granted, as now it
 can, when a Repeal of these Acts is ap-
 plied for. This Way of Arguing, in those
 Times of high Zeal for the punishing
 Dissenters, would have been exactly the
 same against the Toleration it self, as now
 it is against the Repeal of the Test Act.
 The Dissenters, they might have said,
 were a formidable Body; and a Toler-
 ation would make them more so: ‘ They
 ‘ would always be joined in all Attempts
 ‘ against the Establishment of the Church,

‘ by great Numbers, who will join them
 ‘ in pulling down, tho’ in nothing else,’
 &c. And hence they might have inferred,
 that therefore no Toleration ought
 to have been granted.

But, as notwithstanding such sort of
 Topics, frightful in the Imaginations of
 ignorant, or recluse Men, the Toleration
 has produced ‘ many good Effects,’
 and not one Evil one that I could ever
 hear of; so the Repeal of the Acts con-
 tended for, may produce much Good,
 without any of the Mischiefs portended.

That there are *Infidels*, and Enemies
 to our Establishment, must be allowed.
 But that the Corporation and Test Acts
 are the Security or Fence to our Establish-
 ment in Church and State, or that which
 preserves us from Ruin, is what can never
 be proved. There were always *Infidels*,
 and Enemies to the Church: And there
 were likewise Times when these Acts
 were not in Being; and in those very
 Times, Dissenters were a much more for-
 midable Strength than is pretended now.
 And yet the Church subsisted notwith-
 standing all these ‘ Additions of Power
 ‘ and Influence,’ and never had been sha-
 ken, had not Civil Wars confounded all
 Things: And should Civil Wars again be
 raised, ’tis not Corporation and Test Acts
 which

which will be any Security to Church or State. The Repeals of them, as all Concessions of Liberty always do, will soften Men's Tempers; will reconcile Dissenters and Churchmen together, and will make them friendly; and if there be any Spark of Enmity or Hatred, this will be a Means to extinguish it, and to establish that Love and Charity which the Gospel so effectually recommends; and in Consequence, will be a strong Guard against any such Effects of Ill-nature, or Passions, or Revenge, as this Writer imagines.

But let us consider, after all, what 'this Force, further strengthen'd and rendered yet more formidable,' is. Dissenters under several Denominations, in Opposition to one another, as well as to the Church, by the Repeal of these Acts, are made *capable* of enjoying Places of Power; which at present some of them will not accept. It is not imagin'd, that they or any are to be *admitted into* Places, (if the King thinks fit to employ any of them,) without such proper Securities of their *Allegiance*, as shall be judged sufficient. The State therefore will have as much Security as can be; and the Question is only concerning the Church. In this the Dissenters are not more against the *Church*, than they

they are against *each other*; and consequently each will equally oppose one another, as much as they do the Church: And amongst the *four* additional Helps to the Dissenters which this Author has made; the *First*, *i. e.* the *Infidels*, are equally Enemies to *all*, both to Dissenters and to Churchmen; the *third* Sort, *viz. such as find a particular Pleasure in vexing Bishops and Clergymen as such*, must be against all Dissenters as much as against the Church. There remain therefore, what this Author for Number sake, has ranked under his *second* and *fourth* Heads of Auxiliaries, *viz. such as are against a National Ministry*; and such as think that as long as a *Church Establishment subsists, Civil Liberty cannot subsist*. Add these to the Dissenters of any one Denomination, and judge what a formidable Strength this is against the Church, and all the other Dissenters united.

But still, This is not the whole of what may justly be urged. For the Repeal of these Acts only removes an *Incapacity* for Places, it does not give the *Places* to any Body. 'Tis still in the Breast of the higher Powers, *i. e.* of *Churchmen*, to grant the Possession to Dissenters: And suppose them in several Corporations

porations to be *Mayors, Aldermen, Justices of the Peace*, or to have what Influence you please in those Places, you must consider that there are some that will and do conform Occasionally already; you must add therefore only such as the Repeals will help, and this is the only additional Weight or Strength that must or ought to be considered: And what Probability is there of Mischief from this formidable Body? But I must observe still further,

If the Dissenters were to act *united*, against the Church *united*, they could not make any formidable Opposition. But as the Dissenters are in Fact disunited, and consist of *Anabaptists, Independents, Presbyterians, Quakers, &c.* should any one Party among them set up for Power, or attempt to deprive the Church of its Prerogatives, it would be opposed by Three in Four among themselves, as well as by the united Strength of Churchmen, who would for their own Security become unanimous against the common Enemy.

But it is idle to dispute about such remote Possibilities as these. The Point is, is it not Justice, to Men who have shewn themselves zealously affected to the State for so many Years, to remove a Civil Incapacity

capacity from them? Is it not their Right, as much as any Men can have a Right, to get a Civil Incapacity removed? Have they by any Act forfeited their Civil Rights? When these Points are settled, the lesser Considerations will easily be resolved; such as the Interest of Churchmen, or the Danger to the Church, or the Probabilities of their Uniting to destroy the Church, or whether any Time be proper to apply for the Repeals of these Acts, and what that Time may be.

Hitherto this Matter has been considered merely Politically, and what has been suggested against the Repeals has been shewn to be weak, and inconclusive; and that these Acts are really of no Importance to the Church; if they were repealed, no Harm could ensue to us, and much Justice would be done to others. But this Point should be considered in another View.

When King *William* ascended the Throne, he very early recommended to the Parliament to ‘leave Room for the Admission of all Protestants, that were willing and able to serve.’ Upon this a Clause was brought into the House of Lords to take away the Necessity of receiving the Sacrament to make a Man capable of enjoying any Office, Em-
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ployment, or Place of Trust. But this being rejected by a great Majority, the Lords *Delamere, Stamford, North and Grey, Chesterfield, Wharton, Lovelace,* and *Vaughan* entered their dissent for these Reasons. 1. That a hearty Union among Protestants was a greater Security to the Church and State, than any Test that could be invented. 2. That an Obligation to receive the Sacrament in Churches, was now a Test on the Protestants, rather than on the Papists, and as long as it was so continued, there could not be that hearty and perfect Union among the Protestants, as had always been wished, and was at this Time indispensably necessary. And lastly, that a greater Caution ought not to be required from such as were admitted into Offices, than from the Members of the Two Houses of Parliament, who were not obliged to receive the Sacrament, to enable them to sit in either House.

When this Point was lost, another Attempt was made, which was, by inserting a Clause in the said Bill, to prevent the receiving the Sacrament of the Lord's Supper upon any other account than in Obedience to the Holy Institution thereof: And to provide, that any Man should be sufficiently qualified for any

I Office,

Office, Employment, or Place of Trust, who within a Year before, or after his Admission — did receive the Sacrament of the Lord's Supper, either according to the Usage of the Church of *England*, or in any other Protestant Congregation, and could produce a Certificate under the Hands of the Minister, or Two other credible Persons.

This Clause was likewise rejected.— However, Six Lords, *Oxford, Lovelace, Wharton, Mordant, Montague, and Paget* entered their Dissent. The Reasons are worthy the Consideration of all who have any regard to Justice or Truth, and therefore I shall give them the Reader here.

1. ' It gives great part of the Protestant Freemen in *England* Reason to
' complain of Inequality, and hard Usage, when they are excluded from
' publick Employments by Law : And
' also, it deprives the King and Kingdom of divers Men, fit and capable to
' serve the Publick in several Stations ;
' and that for a mere scruple of Conscience, which can by no means render them suspected, much less disaffected to the Government.

2. ' His Majesty, as the common and indulgent Father of his People, having
' express'd

' exprefs'd an earnest desire of Liberty
 ' for tender Consciences to his Protestant
 ' Subjects ; and my Lords the Bishops
 ' having, divers of them, on several Occa-
 ' sions, professed an Inclination to, and
 ' own'd the Reasonableness of, such a
 ' Christian Temper : We apprehend it
 ' will raise Suspicion in some Mens Minds
 ' of something else than the Care of Re-
 ' ligion, or the Publick, and different
 ' from a Design to heal our Breaches,
 ' when they find that by confining Se-
 ' cular Employments to Ecclesiastical
 ' Conformity, those are shut out from
 ' Civil Affairs, whose Doctrine and Wor-
 ' ship may be tolerated by Authority of
 ' Parliament ; there being a Bill before
 ' us by Order of the House to that pur-
 ' pose : Especially when without this ex-
 ' clusive Rigour, the Church is secured
 ' in all Privileges and Preferments, no
 ' Body being hereby let into them who
 ' is not strictly conformable.

3. ' To set Marks of Distinction and
 ' Humiliation on any sort of Men, who
 ' have not rendered themselves justly
 ' suspected to the Government, as it is
 ' at all Times to be avoided by the Ma-
 ' kers of just and equitable Laws, so
 ' may it be particularly of ill Effect to
 ' the Reformed Interest at home and a-

' broad in this present Conjunction, which
 ' stands in need of the united Hands
 ' and Hearts of all Protestants, against
 ' the open Attempts and secret Endeavours
 ' of a restless Party, and a potent
 ' Neighbour, who is more zealous
 ' than *Rome* it self to plant Popery in
 ' these Kingdoms, and labours with his
 ' utmost Force to settle Tyranny upon
 ' the Ruins of the Reformation thro' all
 ' *Europe*.

4. ' It turns the Edge of a Law (we
 ' know not by what Fate) upon Protestants,
 ' and the Friends to the Government, which
 ' was intended against Papists, to exclude them
 ' from Places of Trust, as Men avowedly dangerous
 ' to our Government and Religion. And thus
 ' the taking the Sacrament, which was
 ' injoin'd only as a means to discover
 ' Papists, is now made a distinguishing
 ' Duty amongst Protestants, to weaken the
 ' Whole by casting off a Part of them.

5. ' Mysteries of Religion, and Divine
 ' Worship, are of Divine Original, and of a
 ' Nature so wholly distinct from the secular
 ' Affairs of publick Society, that they cannot
 ' be apply'd to those Ends; and therefore the
 ' Church, by the Law of the Gospel, as well as
 ' common

‘ mon Prudence, ought to take Care
 ‘ neither to offend tender Consciences
 ‘ within itself, nor give Offence to those
 ‘ without, by mixing their sacred My-
 ‘ steries with Secular Interests.

6. ‘ We cannot see how it can con-
 ‘ sist with the Law of God, common
 ‘ Equity, or the Right of any Free-
 ‘ born Subject, that any one be punish’d
 ‘ without Crime. If it be a Crime, not
 ‘ to take the Sacrament according to the
 ‘ Usage of the Church of *England*, every
 ‘ one ought to be punished for it; which
 ‘ no Body affirms: If it be no Crime,
 ‘ those who are capable, and judg’d fit
 ‘ for Employments by the King, ought
 ‘ not to be punish’d with a Law of Ex-
 ‘ clusion, for not doing that which is
 ‘ no Crime to forbear.

This was the Judgment of K. *William*,
 as Wise a Man as any of this Age, and
 this the Sentiment of those noble Pa-
 triots, who had the Interest of the Re-
 volution at Heart.

The Political Reasons have been suf-
 ficiently discuss’d; ’tis fit now a little
 to consider this Point *as Christians*. Our
 Saviour has Instituted a particular Rite
 for certain Ends specified in the New Te-
 stament, *viz.* to remember his Death
 and Passion, and to be a Sign of Friend-
 ship

ship amongst his Disciples. No wonder therefore, whilst these Ends are kept in View, that from the most early Times of Christianity, the actual joining in 'Communion, was esteem'd the most 'proper Proof that Men were *Christians*.' But since the Times that the Sacrament has been made the Tool of Politicians, the Means to keep Men out of, or to qualify them for, Places and Employments, it is now no longer any Proof at all that Men are *Christians*; since such as disbelieve all Revelation, equally partake of that sacred Institution with the most professed Believers. I add therefore,

2. 'Tis no Evidence, that Men are *Christians*, 'conforming to the Worship approved and established by the 'State.' It can only prove that some Men are obliged to conform Twice in their Lives to the established Worship. And is it of any real Consequence to the Church, or is it any Cement betwixt the Church and State, that a Man, *conforms Twice* in his Life? What Evidence is this, that a Man has any Affection for either Church or State?

3. The Receiving the Sacrament according to the Usage of the Church of *England*, as a Qualification for any Office,

fice, is a real Debasing one of the most solemn Institutions that ever was made, into a mere State Engine, to deprive some Men of their Rights which they have never forfeited; to Mark Men as Enemies to the State, who are known to be hearty Friends to it; and to be a Sign of something to which it has not so much as an indirect Tendency.

4. The Sacramental Test has so natural a Tendency to pervert Mens Minds from the original Design of the Institution, that in some of the most remarkable Churches in this Town, to which Gentlemen resort the most usually for that Purpose, the officiating Clerk with an audible Voice orders all such as come for a Qualification, to stand Separate from such as come for Devotion: Natural common Sense easily distinguishing, what scarce any Body can unite in their Minds.

And now I leave the Reader to judge, whether the Sacramental Test be of any Importance to either Church or State; whether it be not a real Prejudice to Christianity it self; and whether that which is prejudicial to *Christianity* can be of Importance to the *Church of England*. Or if one considers the State distinct from the Church, it is an Injury to take away Mens Rights, which they

they have never forfeited; it is weakning the State it self; it is an Hardship upon the Government, and no one single Good can possibly be obtained to the State by it. The Continuance therefore of such a Test, has much Evil in it, and no Good: It is a real Damage to Christianity, and a Grief to all its most serious Professors: And therefore every Friend to either Church or State, should heartily unite in their Endeavours to get those Acts repealed or explained.

F I N I S.